

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

STEVE GENTRY,

Plaintiff,

v.

ASH GROVE CEMENT COMPANY,

Defendant.

Case No. 2:25-cv-00116-HL

ORDER ADOPTING F&R

Beth Ann Creighton and Kristin Remole Bell, Creighton & Rose, PC, 300 Stowbridge Building, 735 SW First Avenue, Floor 3, Portland, OR 97204. Attorneys for Plaintiff.

Anthony Copple and Mark A. Crabtree, Jackson Lewis PC, 200 SW Market Street, Suite 540, Portland, OR 97201. Attorneys for Defendant.

IMMERGUT, District Judge.

On May 1, 2025, Magistrate Judge Hallman issued his Findings and Recommendation (“F&R”), ECF 12. The F&R recommends that this Court deny Plaintiff’s Motion to Remand, ECF 5. No party filed objections.

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a

de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

No party having filed objections, this Court has reviewed the F&R and accepts Judge Hallman’s conclusions. The F&R, ECF 12, is adopted in full. This Court DENIES Plaintiff’s Motion to remand, ECF 6.

IT IS SO ORDERED.

DATED this 19th day of May, 2025.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge